

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with 8/24/10 Mr. Chu (see interview summary) in order to narrow the scope of the independent claims over the teachings of the prior art of the record through amendment to the claims so as to facilitate allowing of the case.

#### **Please amend claim 1 as follows.**

In the last line of claim 1, immediately after '0.85 please insert  
; wherein a portion of the body between the modified refractive index areas has a polygon shape

#### **Please cancel claim 12**

#### ***Reason for Allowance***

Claims 1-5 and 8-11 are allowed for the following reasons:

The instant application is deemed to be directed to a nonobvious improvement over the invention patented in Pat. No. Tatsuya (JPP 2002-08403).

Claim 1 is allowed because the prior art of record, taken alone or in combination, fails to disclose or render obvious

in combination with the rest of the limitations of the base claim. Claims are allowed by virtue of dependency.

Claims 1 is allowed because the prior art of record, taken alone or in combination, fails to disclose or render obvious wherein a portion of the body between the modified refractive index areas has a polygon shape in combination with the rest of the limitations of the base claim. Claims 2-5 and 8-11 are allowed by virtue of dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to K. Cyrus Kianni whose telephone number is 571-272-2417. The examiner can normally be reached on 9:30-19:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Robinson can be reached on (571) 272-2319. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2883

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/K. Cyrus Kianni/  
Primary Examiner, Art Unit 2883

August 27, 2010